

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1279 be amended to read as follows:

- 1 Page 14, line 17, delete "or".
- 2 Page 14, line 23, delete "IC 8-1-29.5." and insert "**IC 8-1-29.5; or**".
- 3 Page 14, between lines 23 and 24, begin a new line block indented
- 4 and insert:
- 5 "**(7) the commission's duty to establish and administer the**
- 6 **Indiana lifeline assistance program under IC 8-1-36.**".
- 7 Page 46, between lines 40 and 41, begin a new paragraph and insert:
- 8 "**SECTION 38. IC 8-1-36 IS ADDED TO THE INDIANA CODE**
- 9 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
- 10 **UPON PASSAGE]:**
- 11 **Chapter 36. Indiana Lifeline Assistance Program**
- 12 **Sec. 1. This chapter applies to an incumbent local exchange**
- 13 **carrier that offers basic telecommunications service in one (1) or**
- 14 **more exchange areas in Indiana.**
- 15 **Sec. 2. Except as otherwise provided in this chapter, the**
- 16 **definitions in IC 8-1-2.6 apply throughout this chapter.**
- 17 **Sec. 3. As used in this chapter, "commission" refers to the**
- 18 **Indiana utility regulatory commission created by IC 8-1-1-2.**
- 19 **Sec. 4. As used in this chapter, "customer" refers to a residential**
- 20 **customer that receives basic telecommunications service from an**
- 21 **incumbent local exchange carrier.**
- 22 **Sec. 5. As used in this chapter, "eligible customer" refers to a**
- 23 **customer who:**
- 24 **(1) is not a qualifying low-income consumer (as defined in 47**
- 25 **CFR 54.400(a)) under the federal lifeline program; but**

(2) is eligible for the Indiana lifeline assistance program under section 11 of this chapter.

Sec. 6. As used in this chapter, "eligible telecommunications carrier" refers to an incumbent local exchange carrier that is designated as an eligible telecommunications carrier by the commission under 47 CFR 54.201.

Sec. 7. As used in this chapter, "federal lifeline program" refers to the retail local service offering:

(1) available only to qualifying low-income consumers (as defined in 47 CFR 54.400(a));

(2) for which qualifying low-income consumers pay reduced charges as a result of the application of the lifeline support amount described in 47 CFR 54.403; and

(3) that includes the services and functionalities set forth in 47 CFR 54.101(a)(1) through (a)(9);

as described in 47 CFR 54.401.

Sec. 8. As used in this chapter, "participant" refers to an eligible customer who applies for and receives assistance through the program.

Sec. 9. As used in this chapter, "program" refers to the Indiana lifeline assistance program established by the commission under section 10 of this chapter.

Sec. 10. (a) Not later than July 1, 2008, the commission shall adopt rules under IC 4-22-2 to establish the Indiana lifeline assistance program. The program must offer reduced charges for basic telecommunications service to eligible customers. The rules adopted by the commission under this section must do the following:

(1) Require an eligible telecommunications carrier to offer toll limitation (as defined in 47 CFR 54.400(d)) to an eligible customer who applies for assistance under the program. The rules must specify that an eligible telecommunications carrier may not charge a participant an administrative charge or any other additional amount for toll limitation.

(2) Allow an eligible telecommunications carrier to block a participant's access to interexchange service, except for access to toll free numbers, if the participant owes an outstanding amount for basic telecommunications service. The rules must require an eligible telecommunications carrier to remove the block without additional cost to the participant upon payment of the outstanding amount.

(3) Prohibit an eligible telecommunications carrier from discontinuing basic telecommunications service to a participant because of nonpayment by the participant of charges for other services billed by the eligible telecommunications carrier, including interexchange service.

1       (b) The following costs of the program shall be paid from the  
2 telecommunications budgets of the commission and the office of  
3 utility consumer counselor as determined under IC 8-1-6-1:

4       (1) The costs of reimbursing eligible telecommunications  
5 carriers for lost revenues associated with providing reduced  
6 charges for basic telecommunications service to participants.

7       (2) Reasonable expenses incurred by the commission and  
8 eligible telecommunications carriers to:

9       (A) administer the program; and

10       (B) publicize the availability of the program in a manner  
11 reasonably designed to reach eligible customers.

12       (c) The rules adopted by the commission under IC 4-22-2 to  
13 establish the program must:

14       (1) take effect not later than July 1, 2009;

15       (2) be consistent with this chapter.

16       Upon the effective date of the rules adopted by the commission  
17 under this section, an eligible telecommunications carrier shall  
18 offer basic telecommunications service to an eligible customer at  
19 the reduced rates established under the rules.

20       Sec. 11. A customer is eligible to receive reduced rates for basic  
21 telecommunications service under the program if:

22       (1) the customer's income (as defined in 47 CFR 54.400(f))  
23 does not exceed one hundred fifty percent (150%) of the  
24 federal poverty guidelines; or

25       (2) any person in the customer's household receives or has a  
26 child who receives any of the following:

27       (A) Medicaid.

28       (B) Food stamps.

29       (C) Supplemental Security Income.

30       (D) Federal public housing assistance.

31       (E) Home energy assistance under a program administered  
32 by the division of family resources under IC 12-14-11.

33       (F) Assistance under the federal Temporary Assistance to  
34 Needy Families (TANF) program (45 CFR 260 et seq.).

35       (G) Free lunches under the national school lunch program.

1       **Sec. 12. An eligible telecommunications carrier may seek**  
2       **TierThree federal lifeline support under 47 CFR 54.403(a)(3) in**  
3       **connection with support provided by the eligible**  
4       **telecommunications carrier under this chapter."**

5       Renumber all SECTIONS consecutively.  
      (Reference is to HB 1279 as printed January 20, 2006.)

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Representative Mays